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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Item 4 of the provisional agenda*
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined seventh and eighth periodic reports of Liberia

Impact of the Ebola virus disease on women

1. The Committee notes that the State party, United Nations agencies and non-governmental organizations have developed Ebola recovery plans. Nevertheless, please indicate whether a comprehensive gender impact assessment of the outbreak will be conducted and whether strategies and programmes will be reviewed accordingly in order to ensure that humanitarian, emergency and prevention interventions, in addition to all post-Ebola recovery efforts, will take into account the particular needs of women and girls. Please describe specific programmes put in place or envisaged to mitigate the disproportionate impact of the outbreak on the employment and education of women and girls and indicate the extent to which they incorporate long-term and sustainable social protection schemes for women. Please also provide information on the participation and leadership roles of women in all emergency response and recovery efforts, as well as in the design of the Liberia Economic Stabilization and Recovery Plan. Please also indicate measures taken to increase the access of women, in the light of their lower rate of literacy, to information on Ebola prevention.

Constitutional and institutional framework and access to justice

2. With reference to the constitutional review process mentioned by the State party (CEDAW/C/LBR/7-8, p. 8),[1] please indicate progress made in including in the Constitution an explicit definition and prohibition of direct and indirect

* CEDAW/C/62/1.

[1] Unless otherwise indicated, page numbers refer to the combined seventh and eighth periodic reports of Liberia.

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discrimination against women by public and private actors that is in line with article 1 of the Convention, as recommended by the Committee in its previous concluding observations (CEDAW/C/LBR/CO/6, para. 13). Please also describe the outcome of consultations conducted since 2013 to seek women's views on the revision of discriminatory laws and indicate the extent to which the recommendations formulated in the resolution adopted by participants (p. 9) have been taken into consideration.

3. The Committee notes that the Ministry of Internal Affairs has issued directives to local authorities to abolish traditional courts and that civil law courts have been established in each county (ibid.). Please provide information on the effective implementation of those directives. Please also clarify whether civil courts may apply customary laws that remain in force and, if that is the case, elaborate on the hierarchy between common law and customary law, their respective scope and any provisions governing their coexistence. Please provide information on the functioning and competence of the alternative dispute resolution model established by the Ministry, which is used for mediation in civil matters mostly in rural areas where communities have less access to formal justice systems. Please indicate whether measures have been taken to facilitate effective access to courts by women, especially rural women, including in cases of gender-based violence and other forms of discrimination, and to enhance women's knowledge about their rights under the Convention and related national legislation.

Women and peace and security

4. Please provide information on results achieved and specific measures developed with regard to the implementation of the national action plan for the implementation of Security Council resolution 1325 (2000), which covered the period 2009-2013. Please also indicate whether an evaluation has been conducted and a new action plan will be adopted.

National machinery for the advancement of women

5. Please indicate whether the State party has evaluated the implementation of the national gender policy adopted in 2009 and envisages adopting a new policy. Please also indicate whether coordination mechanisms have been established to ensure gender mainstreaming in all areas and at all levels, in particular between the Ministry of Gender and Development and gender focal persons in ministries and at the county level. Please specify whether activities continue to be developed under the Ministry's programme on gender equality and women's economic empowerment. Please also indicate any progress in the development of a specific system for the collection and analysis of data disaggregated by sex pertaining to all areas covered by the Convention.

National human rights institutions

6. The Committee notes that the Independent Human Rights Commission may avail itself of remedies, such as habeas corpus, mandamus and prohibition (see HRI/CORE/LBR/2014, para. 21). Please provide information on the use of the individual complaint mechanism of the Commission by women and on the outcome of any claims of gender-based discrimination brought before it.

Temporary special measures

7. The report is silent about temporary special measures. Please indicate whether such measures are envisaged or have been implemented to accelerate the achievement of substantive equality between women and men in areas covered by the Convention, including with regard to education and employment, and to tackle the multiple forms of discrimination faced by disadvantaged groups of women, including rural women, women with disabilities, widows, war-affected women and girls and women who are victims of Ebola. Please also indicate whether the State party has taken steps to establish a legislative basis for the use of such measures.

Stereotypes and harmful practices

8. Please indicate whether an impact assessment of the nationwide awareness campaign on the roles of women and men in society has been conducted. Please provide information on any specific measures taken to raise awareness of social norms and stereotypical attitudes leading to gender stereotypes and of the negative impact of harmful practices at all levels of society, including within the education system and the media, as well as among government officials, traditional and community leaders and headwomen of secret societies.

9. The Committee notes that the State party has abolished the issuance of permits to practitioners of female genital mutilation, that article 6 of the Children's Law (2011) prohibits forceful conscription and initiation of children under 18 years of age into secret societies and that circular No. 12, issued by the Ministry of Internal Affairs in January 2013, prohibits any form of tribal ritual or traditional practice (p. 14). Please provide updated information on the effective implementation of those provisions and indicate whether any legal action has been taken against persons accused of violating them. Furthermore, in the light of the prevalence of female genital mutilation in the State party, especially in rural areas and bush schools, please indicate whether the State party intends to explicitly criminalize the practice in order to ensure that offenders are adequately prosecuted and punished. Please provide information on measures to prevent early and forced marriages, which, according to the State party, are supported by customary and religious practices in some areas (p. 35). Please also provide examples of cases in which provisions prohibiting parents from compelling their daughters to marry have been enforced.

Violence against women

10. Please indicate whether a time frame has been set for the adoption of the bill on domestic violence and whether it includes comprehensive definitions and explicit criminalization of domestic violence and marital rape. The Committee takes note of the entry into force, in 2006, of legislation known as the rape law and the establishment, in 2008, of specialized criminal courts to handle cases of gender-based violence and of a specialized prosecution unit. Please describe measures taken to increase the capacity and resources of those courts and of the prosecution unit and its subunits in the various counties, including to improve their investigative and forensic capacity. Please indicate the number of registered cases of violence against women, investigations, prosecutions and the nature of the punishments imposed on the perpetrators. Please indicate whether an evaluation has been conducted of the implementation of the gender-based violence action plan (p. 14) and provide updated information on measures taken to extend the safe houses to all counties and

to ensure the sustainability and accessibility of existing safe houses. Please describe specific measures in place against bribery and corruption of law enforcement officers and to address the extremely low rate of reporting of cases owing to social stigma. Please also describe measures taken to raise awareness among women about criminal provisions on sexual violence and to encourage them to opt for formal criminal prosecution rather than out-of-court settlements.

Trafficking and exploitation of prostitution

11. Please provide information on mechanisms in place to ensure the practical enforcement of the Anti-Trafficking Act of 2005, in addition to detailed data on the number of complaints received of trafficking in women and girls and on the number of investigations, prosecutions, convictions and sanctions imposed on the perpetrators during the reporting period. The Committee notes that nationwide research on trafficking conducted in 2011 revealed that most children, including girls, who were victims of trafficking were used as street vendors, in prostitution and in domestic work. Please indicate measures taken to prevent trafficking and protect and provide assistance and legal support to victims. In particular, please include information on the number of and funding for shelters for victims of trafficking, the establishment of referral systems and training of law enforcement personnel to proactively identify victims.

12. Please provide information on the prevalence of prostitution, including large-scale prostitution of young girls, on the applicable legal framework and its effective implementation and on programmes available to women and girls wishing to leave prostitution.

Participation in political and public life

13. Please indicate the current status and content of the bill aimed at promoting equality in political decision-making, which has been pending for more than four years. The Committee notes as a positive development the fact that the representation of women in the Cabinet has reached 30 per cent (p. 17). Please provide information on the steps taken to achieve equal representation of women and men in the House of Representatives, the Senate, the judiciary, the civil service at the national, county and district levels and the diplomatic service, including through the adoption of temporary special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 on the subject. Please also indicate whether the State party has developed training programmes on leadership and negotiation skills and on technical advice for campaign management, targeting in particular current and potential women candidates to support them in gaining access to public positions. Please indicate whether the State party envisages providing incentives for political parties to nominate equal numbers of women and men as candidates.

Nationality

14. The Committee notes that, while the Constitution provides that either parent can transmit their nationality to their children (art. 28), section 20.1 (b) of the Aliens and Nationality Law does not allow women to transmit their nationality when they have children born outside the State party. Please clarify how those contradictory provisions are enforced in practice and indicate whether measures have been taken

to remove discriminatory provisions in order to ensure that women have equal rights to transmit their nationality. Please also clarify whether children born to Liberian women and foreign fathers from African States can acquire nationality based on the principle of *jus soli* (sect. 20.1 of the Law). Please indicate measures taken to ensure that all children are registered and to raise awareness among parents of the importance of birth registration, especially in rural areas.

Education

15. The Committee notes as a positive development the adoption of the Education Reform Act in 2011 and the revision of the policy on girls' education in 2013. Please describe specific measures taken as part of the education reform to encourage girls to consider non-traditional fields of study and occupations, especially in the case of girls in rural areas, where vocational programmes remain stereotyped, with girls being trained in tailoring, soap-making and tie-dying (p. 22). Please provide updated and detailed data, disaggregated by sex and by area (rural/urban), on the enrolment rates at all levels of the education system, the dropout rates at the primary and secondary levels and the level of female illiteracy. Please describe efforts made to remove stereotypes about the roles and responsibilities of women and men from textbooks and teaching materials. Please indicate measures taken to address adult female illiteracy in rural areas, including through comprehensive education programmes at the formal and non-formal levels. Please describe the policies and regulations in place regarding sexual harassment and abuse of girls in school (p. 20), including mechanisms to address incidents of harassment, abuse or violence. Please provide information on reported cases and their outcomes, including on sanctions imposed.

Employment

16. Please indicate the status of the bill on decent work (p. 24), in particular whether it includes provisions prohibiting sexual harassment and hostile working environments, provides for appropriate complaint procedures, adequate remedies and sanctions and offers protection for women in the informal sector, especially with regard to social benefits. Please provide information on the content and implementation of the equality provisions in the national employment policy and its action plan. Please also provide information on specific measures taken to promote the integration of women into the formal labour force, given the disproportionate rates of women employed in the informal sector, especially in the agricultural and retail sectors. Please provide information on mechanisms established to ensure the full implementation of child labour laws and regulations to address cases of forced labour and domestic servitude and to monitor the working conditions of women in extractive industries, in particular mining.

Health

17. It is indicated that the State party has a high maternal mortality rate attributed to direct post-partum haemorrhage, obstructed or prolonged labour, complications of unsafe abortion, eclampsia, malaria and anaemia (p. 28). In the light of the disrupted availability of non-Ebola health services, please provide information on strategies and programmes in place to tackle the increased levels of maternal mortality, to increase access to prenatal care, including in rural areas, and to address the feminization of HIV/AIDS and reduce women's vulnerability, including through

awareness-raising. Please also provide information on the prevalence of early pregnancy and on measures envisaged to further increase the availability and accessibility of comprehensive age-appropriate education on sexual and reproductive health and rights, as well as of family planning services, especially for adolescents. Please also indicate whether measures have been taken to disseminate information on contraceptive methods. Please provide information on the legal provisions governing abortion, indicate whether it is authorized under certain conditions and describe how the provisions are implemented in practice.

Rural women

18. Please provide information on the implementation of the national rural women's programme under the Ministry of Gender and Development (p. 31), indicate whether an impact assessment has been conducted and, if it has, provide information on the results achieved. Please provide specific information on the functioning, competence, composition, mandate and capacity of the rural women structures monitored by the Ministry and indicate whether an impact assessment will be conducted to evaluate progress achieved. Please also indicate positive measures taken to enhance the participation of rural women in community decision-making processes, including in developing policies and legislation in areas that affect their rights, such as management of land and agricultural policies.

Marriage and family relations

19. Please provide information on measures taken or envisaged to harmonize legal provisions establishing different minimum ages of marriage for girls and boys (in the Equal Rights of the Customary Marriage Law and in the Revised Rules and Regulations Governing the Hinterland of Liberia) with the Children's Law, which establishes the age at 18 years for girls and boys. Please indicate whether women married under customary law can turn to civil courts for all matters relating to marriage, family relations and inheritance. Please clarify the legal status of polygamous marriage, which is common in the State party. Please provide information on measures taken to enforce the legal prohibition of early and forced marriage, including sanctions imposed, in particular in rural areas.

20. The Committee notes the amendment to the inheritance legislation to remove discriminatory provisions applying to women in rural and urban areas. Please indicate whether the right of women to acquire and own property remains linked to marital status under both customary and statutory law and, if that is the case, whether there are plans to review and remove that impediment. Please also indicate steps taken to ensure that official property documents and titles, such as deeds and leases, are also issued under women's names when they are jointly acquired during marriage. Please indicate measures taken to enhance women's awareness of their rights under the inheritance legislation.